

**HEALTHCARE COST AND UTILIZATION PROJECT — HCUP**  
**A FEDERAL-STATE-INDUSTRY PARTNERSHIP IN HEALTH DATA**  
Sponsored by the Agency for Healthcare Research and Quality

**INTRODUCTION TO**  
**THE HCUP STATE EMERGENCY DEPARTMENT DATABASES (SEDD)**

**These pages provide only an introduction to the SEDD package.**

**Full documentation is provided on the SEDD Documentation CD-ROM.**

**For documentation updates and changes, be sure to visit: <http://www.hcup-us.ahrq.gov>.**

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## HCUP STATE EMERGENCY DEPARTMENT DATABASES (SEDD)

### SUMMARY OF DATA USE LIMITATIONS

**\*\*\*\*\* REMINDER \*\*\*\*\***

**All users of the SEDD must sign a data use agreement. The signed data use agreement(s) must be kept on file by the organization that purchased the SEDD data. †**

Authorized users of HCUP data agree to the following limitations: ‡

- Will not use the data for any purpose other than research or aggregate statistical reporting.
- Will not re-release any data to unauthorized users.
- Will not identify or attempt to identify any individual.
- Will not link HCUP data to data from another source that identifies individuals.
- Will not report information that could identify individual establishments.
- Will not use the data concerning individual establishments for commercial or competitive purposes involving those establishments.
- Will not use the data to determine rights, benefits, or privileges of individual establishments.
- Will not identify or attempt to identify any establishment when its identity has been concealed on the database.
- Will not contact establishments included in the data.
- Will not attribute to data contributors any conclusions drawn from the data.
- Must acknowledge the "Healthcare Cost and Utilization Project, (HCUP)", as described in the Data Use Agreement, in reports.

Any violation of the limitations in the data use agreement is punishable under Federal law by a fine of up to \$10,000 and up to 5 years in prison. Violations may also be subject to penalties under State statutes.

† A copy of the Data Use Agreement is included on the SEDD Documentation CD-ROM and is included at the end of this document.

‡ Specific provisions are detailed in the Data Use Agreement for HCUP State Emergency Department Databases.

## HCUP CONTACT INFORMATION

**Please submit signed data use agreements to HCUP at:**

Agency for Healthcare Research and Quality  
Healthcare Cost and Utilization Project (HCUP)  
540 Gaither Road, 5<sup>th</sup> Floor  
Rockville, MD 20850

Phone: (301) 427-1410

Fax: (301) 427-1430

Website: <http://www.ahrq.gov/data/hcup/>

**For technical assistance,**

Visit the AHRQ-sponsored HCUP User Support Website at

<http://www.hcup-us.ahrq.gov>

Or send an e-mail to HCUP User Support at

[hcup@ahrq.gov](mailto:hcup@ahrq.gov)

Or contact the HCUP Central Distributor at

HCUP Central Distributor

Phone: (866) 556-4287 (toll-free between the hours of 9 a.m. and 5 p.m. (ET). If the HCUP Central Distributor is not immediately available, please leave a message on the voice mail, and your call will be returned within one business day.)

Fax: (301) 628-3201

E-mail: [hcup@s-3.com](mailto:hcup@s-3.com)

**We would like to receive your feedback on the HCUP data products.**

Our Internet address for user feedback is

[hcup@ahrq.gov](mailto:hcup@ahrq.gov).

**HEALTHCARE COST AND UTILIZATION PROJECT — HCUP**  
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**The Agency for Healthcare Research and Quality and  
the staff of the Healthcare Cost and Utilization Project (HCUP) thank you for  
purchasing the HCUP State Emergency Department Databases (SEDD)**

**HCUP State Emergency Department Databases (SEDD)**

**ABSTRACT**

The State Emergency Department Databases (SEDD) are part of the Healthcare Cost and Utilization Project (HCUP), sponsored by the Agency for Healthcare Research and Quality (AHRQ), formerly the Agency for Health Care Policy and Research.

The HCUP State Emergency Department Databases (SEDD) are a powerful set of databases that capture discharge information on all emergency department visits that do not result in an admission. Information on patients initially seen in the emergency room and then admitted to the hospital is included in the HCUP State Inpatient Databases (SID). To enumerate all emergency department visits, SEDD discharges should be combined with SID discharges that originate in the emergency department.

- The SEDD contain the emergency department encounter abstracts from hospital-affiliated emergency departments in participating States, translated into a uniform format to facilitate multi-state comparisons and analyses.
- They contain a core set of clinical and nonclinical information on all patients, regardless of payer, including persons covered by Medicare, Medicaid, private insurance, and the uninsured.
- In addition to the core set of uniform data elements common to all SEDD, some State data include other elements, such as the patient's race.

Researchers and policymakers use the SEDD to investigate access to health care in a changing health care marketplace; identify State-specific trends in emergency department utilization, access, charges, and outcomes; and conduct market area research and small area variation analyses.

Three of the Data Organizations participating in HCUP have agreed to release their SEDD files through the HCUP Central Distributor under the auspices of AHRQ. The individual State databases are in the same HCUP uniform format and represent 100% of records processed by AHRQ. However, the participating Data Organizations control the release of specific data elements. AHRQ is currently assisting the Data Organizations in the release of the 1999-2002 SEDD.

The SEDD can be linked to hospital-level data from the American Hospital Association (AHA) Annual Survey of Hospitals and county-level data from the Bureau of Health Professions' Area Resource File (ARF), except for those States that do not allow the release of hospital identifiers.

Access to the SEDD is available through the HCUP Central Distributor. Uses are limited to research, analysis, and aggregate statistical reporting.

# INTRODUCTION TO THE HCUP STATE EMERGENCY DEPARTMENT DATABASES (SEDD)

## OVERVIEW OF THE SEDD

The Healthcare Cost and Utilization Project (HCUP) State Emergency Department Databases (SEDD) consist of individual data files from Data Organizations in eleven participating States. The SEDD contain information on emergency department visits to hospital-affiliated emergency departments that do not result in admissions. Information on patients initially seen in the emergency room and then admitted to the hospital is included in the HCUP State Inpatient Databases (SID). Composition and completeness of data files may vary from State to State. The SEDD are annual, State-specific files that share a common structure and common data elements. Most data elements are coded in a uniform format across all States. In addition to the core set of uniform data elements, the SEDD include State-specific data elements or data elements available only for a limited number of States. The uniform format of the SEDD helps facilitate cross-state comparisons. In addition, the SEDD in combination with the SID are well suited for research that requires complete enumeration of hospitals and emergency room encounters within market areas or States.

Three of the Data Organizations participating in HCUP have agreed to release their State-specific files through the HCUP Central Distributor under the auspices of AHRQ. The individual State databases are in the same HCUP uniform format. In general, they represent 100% of records processed by AHRQ. However, the participating Data Organizations control the release of specific data elements. AHRQ is currently assisting the Data Organizations in the release of the 1999-2002 SEDD.

SEDD data sets are currently available for multiple States and years, as shown in Table 1. Each release of the SEDD includes:

- C Data in ASCII format on CD-ROM.
- C Patient-level discharge abstract data in participating States for 100 percent of discharges from hospital-affiliated emergency departments that do not result in admissions.
- C AHA Linkage File to link the SEDD to data from the AHA Annual Survey of Hospitals. This is only available for those States that allow the release of hospital identifiers.
- C SEDD documentation and tools, also on CD-ROM – including file specifications, programming source code for loading ASCII data into SAS and SPSS, and value labels.

**Table 1. Number of Records in the SEDD by Year**

State	1999	2000	2001	2002
Maine	456,260	519,831	574,094	585,716
Maryland	1,318,165	1,304,490	1,602,026	1,684,009
Nebraska	Not Available	Not Available	338,838	356,176



## **How the HCUP SEDD Differ from State Data Files**

The SEDD available through the HCUP Central Distributor differ from the data files available from the Data Organizations in the following ways:

- data elements available on the files and
- coding of data elements.

Because the Data Organizations dictate the data elements that may be released through the HCUP Central Distributor, the data elements on the SEDD are a subset of the data collected by the corresponding Data Organizations. HCUP uniform coding is used on most data elements on the SEDD. A few State-specific data elements retain the original values provided by the respective Data Organizations.

## **What Types of Facilities Are Included in the SEDD?**

What types of hospitals are included in the SEDD depends on the information provided by the Data Organizations. Most State government data organizations provide information on all acute care hospitals in the respective State. Private data organizations are often restricted to member hospitals and may not provide information on all hospitals in their State. All hospitals reported by the Data Organizations were retained in the SEDD files.

Table 2a to 2d (on the following page) show the number of hospitals in the 1999-2002 SEDD and breaks them down by:

- The number of community hospitals
- The number of hospitals not classified as community
- The number of community hospitals not in the SEDD.

The only reason a hospital is not included in the SEDD is if the Data Organization did not supply the necessary data.

Information contained in the 1999-2002 AHA Annual Survey of Hospitals was used to determine if a hospital was a community hospital. Community hospitals, as defined by AHA, include "all nonfederal, short-term, general and other specialty hospitals, excluding hospital units of institutions." Included among community hospitals are academic medical centers and specialty hospitals such as obstetrics, gynecology, ear nose throat, short-term rehabilitation, orthopedic, and pediatric hospitals. Non-community hospitals include federal hospitals (Veterans Administration, Department of Defense, and Indian Health Service hospitals), long-term hospitals, psychiatric hospitals, alcohol/chemical dependency treatment facilities and hospitals units within institutions such as prisons.

Some hospitals could not be categorized as community or non-community hospitals because these hospitals could not be matched with AHA information. This occurs when a hospital closed in a previous year or when the hospital does not report to the AHA.

**Table 2a. Number of Hospitals in 1999**

<b>State</b>	<b>Number of Community Hospitals</b>	<b>Hospitals in the SEDD NOT Identified as Community</b>	<b>Community Hospitals <u>Not</u> Included in the SEDD</b>
Maryland	48	1	1
Maine	34	1	3

**Table 2b. Number of Hospitals in 2000**

<b>State</b>	<b>Number of Community Hospitals</b>	<b>Hospitals in the SEDD NOT Identified as Community</b>	<b>Community Hospitals <u>Not</u> Included in the SEDD</b>
Maryland	46	1	3
Maine	36	0	1

**Table 2c. Number of Hospitals in 2001**

<b>State</b>	<b>Number of Community Hospitals</b>	<b>Hospitals in the SEDD NOT Identified as Community</b>	<b>Community Hospitals <u>Not</u> Included in the SEDD</b>
Maryland	46	1	3
Maine	36	0	1
Nebraska	75	2	9

**Table 2d. Number of Hospitals in 2002**

<b>State</b>	<b>Number of Community Hospitals</b>	<b>Hospitals in the SEDD NOT Identified as Community</b>	<b>Community Hospitals <u>Not</u> Included in the SEDD</b>
Maryland	47	1	2
Maine	36	0	1
Nebraska	79	1	7

## What is the File Structure of the SEDD in the 1999-2002 Files?

Based on the availability of data elements across States, data elements included in the SEDD are structured as follows:

- Core file,
- Charges file, and
- AHA Linkage file.

The **Core file** contains:

- core data elements that form the nucleus of the SEDD, and
- State-specific data elements intended for limited use.

Core data elements meet at least one of the following criteria:

- are available from all or nearly all data sources,
- lend themselves to uniform coding across sources, or
- are needed for day-to-day applications (e.g., patient age, gender).

State-specific data elements meet at least one of the following criteria:

- are available from a limited number of sources,
- do not lend themselves to uniform coding across sources, or
- are not needed for day-to-day applications.

The Core file is a discharge-level file with one observation per discharge abstract.

The **Charges file** contains detailed charge information. There are two kinds of Charges files:

- 1) *Line item detail* in which a submitted charge pertains to a specified revenue center and there may be multiple charges reported for the same revenue center. This type of Charges file includes multiple records per discharge abstract. Each record includes the following information for one service: revenue center (REVCODE), charge (CHARGE), unit of service (UNITS), CPT/HCPCS codes (CPTHPCS), and possibly day of service (SERVDAY). For example, if a patient had 5 laboratory tests, there are 5 records in the Charges file with information on the charge for each laboratory test. Information from this type of Charges file may be combined with the Core file by the unique record identifier (KEY), but there is not a one-to-one correspondence of records. The Maine SEDD includes this type of Charges file.
- 2) *Summarized detail* in which charge information is summed within the revenue center. This type of Charges file includes one record per discharge abstract. Each record contains three corresponding arrays with the following information: revenue center (REVCDn), total charge for the revenue center (CHGn), and total units of service for the revenue center (UNITn). For example, if a patient had 5 laboratory tests, REVCD1 would include the revenue code for laboratory, CHG1 would include the total charge for the 5 tests, and UNIT1 would be 5. To combine data elements between this type of Charges file and the Core file, merge the files by the unique record identifier (KEY). There will be a one-to-one correspondence of records. The Maryland SEDD includes this type of Charges file.

The Nebraska SEDD includes detailed charge information, but the data elements are in the Core file. Refer to the Description of Data Elements on the documentation CD-ROM for more information on the charge information from all of the States.

The **AHA Linkage file** contains AHA linkage data elements that allow the SEDD to be used in conjunction with the AHA Annual Survey of Hospitals data files. These files contain information about hospital characteristics and are available for purchase through the AHA. Since the Data Organizations in participating States determine whether the AHA linkage data elements may be released through the HCUP Central Distributor with the SEDD, not all SEDD include AHA linkage data elements.

The AHA Linkage file is a hospital-level file with one observation per hospital or facility. To combine discharge-level files with the hospital-level file (AHA Linkage file), merge the files by the hospital identifier provided by the data source (DSHOSPID), but be careful of the different levels of aggregation. For example, the Core file may contain 5,000 discharges for DSHOSPID "A", but the Hospital file contains only one record for DSHOSPID "A".

## GETTING STARTED

SEDD information is provided on CD-ROMs. The number of CD-ROMs depends on the State and year of data. The SEDD documentation and tools for all States and all years from 1999-2002 are on one CD-ROM. The SEDD data are usually on one CD-ROM.

### SEDD Data Files

In order to load SEDD data onto your PC, you will need between one and four gigabytes of space available, depending on which SEDD database you are using. Because of the size of the files, the data are distributed as self-extracting PKZIP compressed files. To uncompress the data, you should follow these steps:

1. Create a directory for the State-specific SEDD on your hard drive.
2. Copy the self-extracting data files from the SEDD Data Files CD-ROM(s) into the new directory.
3. Unzip each file by running the corresponding \*.exe file.
  - Type the file name within DOS or click on the name within Windows Explorer.
  - Edit the name of the "Unzip To Folder" in the WinZip Self-Extractor dialog to select the desired destination directory for the extracted file.
  - Click on the "Unzip" button.

The ASCII data files will then be uncompressed into this directory. After the files are uncompressed, the \*.exe files can be deleted.

### SEDD Documentation

SEDD documentation files on the SEDD Documentation CD-ROM provide important resources for the user. Refer to these resources to understand the structure and content of the SEDD and to aid in using the SEDD. Many of the documentation files are provided in portable document format (\*.pdf) files. Files with the \*.pdf extension can be viewed, searched, and printed using the Adobe Acrobat Reader®. You must have the Adobe Acrobat Reader software on your computer to access the SEDD documentation. If you do not have Adobe Acrobat Reader software on your computer, it may be obtained free of charge from the Adobe Home Page at <http://www.adobe.com/>.

Table 2 (on the following page) describes the documentation and tools files that can be found on the SEDD Documentation CD-ROM, and it illustrates the structure of the directories and subdirectories on the CD.

**Table 2. SEDD Documentation CD-ROM**

Directory	Description
Root	Includes: <ul style="list-style-type: none"><li>• SEDD_DOCUMENTATION_README.TXT file with introductory information on accessing the SEDD documentation</li></ul>
/General Information	Includes: <ul style="list-style-type: none"><li>• Introduction to the SEDD (PDF file) – <i>this document</i></li><li>• SEDD File Composition (PDF file)</li><li>• Data Use Agreement for the State Emergency Department Databases (PDF file) – <i>also included at the end of this binder</i></li></ul>
/Special Reports	Includes: <ul style="list-style-type: none"><li>• HCUP Coding Practices (PDF file)</li><li>• HCUP Quality Control Procedures (PDF file)</li><li>• HCUP Hospital Identifiers (PDF file)</li></ul>
/File Specifications	Includes data set name, number of records, record length, and record layout. One file per data file per year: Core, Charges, and AHA Linkage (if applicable). File specifications are available for all years that a State is available. (Text files)
/Description of Data Elements	Includes: <ul style="list-style-type: none"><li>• Availability of Data Elements by State in 1999-2002 (PDF file)</li><li>• Description of all SEDD data elements including uniform coding and State-specific information (PDF file)</li></ul>
/SAS Load Programs	SAS programming code to convert ASCII data files into SAS. One file per data file per year: Core, Charges, and AHA Linkage (if applicable). SAS load programs are available for all years that a State is available. (Text files)
/SPSS Load Programs	SPSS programming code to convert ASCII data files into SPSS. One file per data file: Core, Charges, and AHA Linkage (if applicable). SPSS load programs are also available. (Text files)
/HCUP Tools_Labels	Includes general label and format information applicable to all HCUP databases: <ul style="list-style-type: none"><li>• Label file for the Clinical Classifications Software (CCSs), a categorization scheme that groups ICD-9-CM diagnosis and procedure codes into mutually exclusive categories (Text file)</li><li>• SAS code to create format library of variable labels (Text file)</li></ul>

## OTHER HCUP PRODUCTS

Information on HCUP products and services is available on the World Wide Web on the AHRQ Website <http://www.ahrq.gov/data/hcup/>. HCUP User Support is available at <http://www.hcup-us.ahrq.gov>.

## DATABASES

**Nationwide Inpatient Sample (NIS)** is a nationwide database of hospital inpatient stays. The NIS is the largest all-payer inpatient care database that is publicly available in the United States, containing data from 5 to 8 million hospital stays from about 1000 hospitals sampled to approximate a 20-percent stratified sample of U.S. community hospitals. The NIS is available for a 15-year time period, from 1988 to 2002, allowing analysis of trends over time. For more information, visit the HCUP User Support Website at <http://www.hcup-us.ahrq.gov> or contact the HCUP Central Distributor (detailed below).

**State Inpatient Databases (SID)** are hospital inpatient databases from Data Organizations participating in HCUP. The SID contain the universe of the inpatient discharge abstracts in the participating HCUP States, translated into a uniform format to facilitate multi-state comparisons and analyses. Together, the SID encompass almost 90 percent of all U.S. community hospital discharges in 2002. For more information, visit the HCUP User Support Website at <http://www.hcup-us.ahrq.gov> or contact the HCUP Central Distributor (see below).

**State Ambulatory Surgery Databases (SASD)** are outpatient databases from Data Organizations in participating HCUP States, which capture surgeries performed on the same day in which patients are admitted and released. The SASD contain the ambulatory surgery encounter abstracts in participating States, translated into a uniform format to facilitate multi-state comparisons and analyses. All of the databases include abstracts from hospital-affiliated ambulatory surgery sites. Some contain the universe of ambulatory surgery encounter abstracts for that State, including records from both hospital-affiliated and freestanding surgery centers. Composition and completeness of data files may vary from State to State. For more information, visit the HCUP User Support Website at <http://www.hcup-us.ahrq.gov> or contact the HCUP Central Distributor (see below).

**State Emergency Department Databases (SEDD)** are outpatient databases from Data Organizations in participating HCUP States, which capture discharge information on hospital-affiliated emergency department visits that do not result in an admission. Information on patients initially seen in the emergency room and then admitted to the hospital is included in the State Inpatient Databases (SID). The SEDD contain the emergency department encounter abstracts in participating States, translated into a uniform format to facilitate multi-state comparisons and analyses. Composition and completeness of data files may vary from State to State. For more information, visit the HCUP User Support Website at <http://www.hcup-us.ahrq.gov> or contact the HCUP Central Distributor (see below).

**Kids' Inpatient Database (KID)** is a unique database of hospital inpatient stays for children. The 1997 and 2000 KID were specifically designed to permit researchers to study a broad range of conditions and procedures related to child health issues. For more information, visit the HCUP User Support Website at <http://www.hcup-us.ahrq.gov> or contact the HCUP Central Distributor (see below).

## HCUP CENTRAL DISTRIBUTOR

HCUP databases are available for purchase through the AHRQ-sponsored HCUP Central Distributor. All years of the NIS and KID are released through the HCUP Central Distributor. In addition, many of the HCUP State Partners allow the public release of the HCUP State Inpatient Databases (SID), State Ambulatory Surgery Databases (SASD), and State Emergency Department Databases (SEDD) through the HCUP Central Distributor. Application Kits for purchasing the HCUP databases are available online at <http://www.hcup-us.ahrq.gov> or contact the HCUP Central Distributor directly. Information on how to obtain uniformly-formatted HCUP files from States not participating in the HCUP Central Distributor is also available from the HCUP Central Distributor:

HCUP Central Distributor  
Phone: (866) 556-4287 (toll-free)  
FAX: (301) 628-3201  
E-mail: [hcup@s-3.com](mailto:hcup@s-3.com)

## HCUP USER SUPPORT

HCUP User Support (HCUP-US) provides technical assistance to all HCUP users and is designed to facilitate the use of HCUP data, software tools, and products. The goals of this service are to increase awareness of the strengths and uses of HCUP data and to enhance the skills of individuals using the data for research, education, and policy analysis. A user-friendly Website for HCUP-US is located at <http://www.hcup-us.ahrq.gov>. This site includes links to information on how to purchase and understand the HCUP databases, as well as links to HCUP User Support Services and Frequently Asked Questions. For further information, consultants are available via both telephone and E-mail to help in planning analytic research and to offer advice about appropriate uses of HCUP data.

## HCUPnet

HCUPnet is a Web-based query tool for identifying, tracking, analyzing, and comparing statistics on hospitals at the national, regional, and State level. With HCUPnet you have easy access to national statistics and trends and selected State statistics about hospital stays. HCUPnet guides you step-by-step to obtain the statistics you need. HCUPnet generates statistics using the Nationwide Inpatient Sample (NIS), the Kids' Inpatient Database (KID), and the State Inpatient Databases (SID) for those States that have agreed to participate. In addition, HCUPnet provides Quick Statistics – ready-to-use tables on commonly requested information – and national statistics based on the AHRQ Quality Indicators. HCUPnet can be found at: <http://www.ahrq.gov/hcupnet>.

## TOOLS

**AHRQ Quality Indicators (QIs)** are clinical performance measures for use with readily available inpatient data. Methods and software for the AHRQ Quality Indicators can be downloaded from <http://www.qualityindicators.ahrq.gov/>.

**Clinical Classifications Software (CCS)**, formerly known as the Clinical Classifications for Health Policy Research (CCHPRs), are classification systems that group ICD-9-CM diagnoses and procedures into a limited number of clinically meaningful categories. Methods and software



can be downloaded from the HCUP User Support Website, Tools and Software page, at [http://www.hcup-us.ahrq.gov/tools\\_software.jsp](http://www.hcup-us.ahrq.gov/tools_software.jsp).

**Comorbidity Software** assigns variables that identify comorbidities in hospital discharge records using ICD-9-CM diagnosis codes (International Classification of Diseases, Ninth Revision, Clinical Modification). Methods and software can be downloaded from the HCUP User Support Website, Tools and Software page, at [http://www.hcup-us.ahrq.gov/tools\\_software.jsp](http://www.hcup-us.ahrq.gov/tools_software.jsp).

**Procedure Classes** identify whether a procedure is (a) diagnostic or therapeutic, and (b) minor or major in terms of invasiveness and/or resource use. Software can be found at [http://www.hcup-us.ahrq.gov/tools\\_software.jsp](http://www.hcup-us.ahrq.gov/tools_software.jsp).

## PUBLICATIONS

HCUP Research Notes and Fact Books report aggregate statistics and detailed analyses using HCUP data. To request copies, contact the AHRQ Publications Clearinghouse at (800) 358-9295 or send a postcard to: AHRQ Publications Clearinghouse, P.O. Box 8547, Silver Spring, MD 20907 or visit <http://www.hcup-us.ahrq.gov/reports.jsp>.





## **DATA USE AGREEMENT for the State Emergency Department Databases from the Healthcare Cost and Utilization Project Agency for Healthcare Research and Quality**

This Data Use Agreement (“Agreement”) implements the data protections of the Health Insurance Portability and Accountability Act (HIPAA) of 1996 (Public Law 104-191) and the Agency for Healthcare Research and Quality (AHRQ) confidentiality statute. Any individual (“data recipient”) seeking to obtain or use data in the State Emergency Department Databases (SEDD) from the Healthcare Cost and Utilization Project (HCUP) maintained by the Center for Delivery, Organization, and Markets (CDOM) within AHRQ, must sign and submit this Agreement to AHRQ or its agent before access to the SEDD may be granted.

In accordance with HIPAA, the SEDD may only be used or disclosed in the form of a *limited data set*, as defined by the HIPAA Privacy Rule (45 CFR § 164.514(e)).

The AHRQ confidentiality statute, Section 924(c) of the Public Health Service Act (42 U.S.C. 299c-3(c)), requires that data collected by AHRQ that identify individuals or establishments be used only for the purpose for which they were supplied. Data supplied to AHRQ for HCUP and disclosed in limited data set form are identifiable under the HIPAA Privacy Rule and are provided by the data sources only for research, analysis, and aggregate statistical reporting. Therefore, data recipients may use HCUP data only for these purposes.

**No Identification of Persons**—Any effort to determine the identity of any person contained in HCUP databases (including but not limited to patients, physicians, and other health care providers), or to use the information for any purpose other than for research, analysis, and aggregate statistical reporting, would violate the AHRQ confidentiality statute, the conditions of this Agreement, and the HIPAA Privacy Rule. Recipients of the data set are prohibited under the AHRQ confidentiality statute and the terms of this Agreement from releasing, disclosing, publishing, or presenting any individually identifying information obtained under this Agreement. AHRQ omits from the data set all direct identifiers that are required to be excluded from limited data sets as defined by the HIPAA Privacy Rule. It may be possible in limited situations, through deliberate technical analysis, and with outside information, to ascertain from the limited data sets the identity of particular persons. Considerable harm could ensue if this were to occur. Therefore, any attempts to identify individuals are prohibited and information that could identify individuals directly or by inference must not be released or published. In addition, users of the data must not attempt to contact individuals for any purpose, including verifying information supplied in the data set. Any questions about the data must be referred exclusively to AHRQ.

**Use of Establishment Identifiers**—Section 924(c) of the Public Health Service Act (42 U.S.C. 299c-3(c)) also restricts the use of any information that permits the identification of establishments for purposes other than those for which the information was originally supplied. Permission is obtained from the HCUP data sources (state data organizations, hospital associations, and data consortia) to use the identification of hospitals (when such identification appears in the data sets) for research, analysis, and aggregate statistical reporting. This may include linking institutional information from outside data sets for these purposes. Such purpose does *not* include the use of information in the data sets concerning individual establishments for commercial or competitive purposes involving those individual establishments, or to determine the rights, benefits, or privileges of establishments. Users of the data must not identify establishments directly or by inference in disseminated material. In addition, users of the data must not contact establishments for the purpose of verifying information supplied in the data set. Any questions about the data must be referred exclusively to AHRQ. Misuse of identifiable HCUP data about hospitals would violate the AHRQ confidentiality statute and trigger its penalty provisions.

**The undersigned gives the following assurances with respect to the SEDD data set:**

- C I will not use and will prohibit others from using or disclosing the data set (or any part), except for research, analysis, and aggregate statistical reporting, and only as permitted by this Agreement.
- C I will ensure that the data are kept in a secured environment and that only authorized users will have access to the data.
- C I will not release or disclose, and will prohibit others from releasing or disclosing, any data that are individually identifiable under the HIPAA Privacy Rule, or any information that identifies persons, directly or indirectly, except as permitted under this Agreement and in accordance with the above-mentioned AHRQ confidentiality statute.
- C I will not release or disclose information where the number of observations (i.e., individual discharge records) in any given cell of tabulated data is less than or equal to 10.
- C I will not release or disclose, and will prohibit others from releasing or disclosing, the data set (or any part) to any person who is not a member, agent, or contractor of the organization (specified below), except with the approval of AHRQ.
- C I will require others employed in my organization (specified below), and any agents or contractors of my organization, who will use or will have access to the data set, to sign a copy of this Agreement (specifically acknowledging their agreement to abide by its terms) and I will submit those signed Agreements to AHRQ or its agent before granting access.
- C I will not attempt to link, and will prohibit others from attempting to link, the discharge records of persons in the data set with individually identifiable records from any other source.
- C I will not attempt to use and will prohibit others from using the data set to learn the identity of any person included in the data set or to contact any such person for any purpose.
- C In accordance with the AHRQ confidentiality statute, I will not use and will prohibit others from using the data set concerning individual establishments (1) for commercial or competitive purposes involving those individual establishments; (2) to determine the rights, benefits, or privileges of individual establishments; or (3) to report, through any medium, data that could identify, directly or by inference, individual establishments.
- C When the identities of establishments are not provided in the data sets, I will not attempt to use and will prohibit others from using the data set to learn the identity of any establishment.
- C I will not contact and will prohibit others from contacting establishments or persons in the data set to question, verify, or discuss data in the HCUP databases.
- C I will indemnify, defend, and hold harmless AHRQ and the data organizations that provide data to AHRQ for HCUP from any or all claims and losses accruing to any person, organization, or other legal entity as a result of violation of this Agreement. This provision applies only to the extent permitted by Federal and State law.
- C I will make no statement and will prohibit others from making statements indicating or suggesting that interpretations drawn are those of the data sources or AHRQ.
- C I will provide an abstract and reference for any published research material resulting from the use of these HCUP State Emergency Department Databases to the HCUP Central Distributor.

- C I will acknowledge in all reports based on these data that the source of the data is the specific state(s) or data organization(s) that submitted data to the HCUP (e.g., “*state name(s)*”, State Emergency Department Databases (SEDD), Healthcare Cost and Utilization Project (HCUP), Agency for Healthcare Research and Quality.”

*Safeguards.* I agree to use appropriate safeguards to prevent use or disclosure of the data set other than as permitted by this Agreement.

*Permitted Access to Limited Data Set.* I shall limit the use or receipt of the data set to the individuals who require access in order to perform activities permitted by this Agreement. This Agreement must be signed by all such individuals and submitted to AHRQ or its agent before access to the data set may be granted.

*Re-disclosure.* I will not re-disclose (i.e., share) the data set (or any part), unless the individual who will receive the data has agreed in writing to be bound by the same restrictions and conditions that apply to me under this Agreement.

*The HIPAA Privacy Rule.* I agree not to use or disclose the data set in any manner that would violate the HIPAA Privacy Rule if I were a covered entity under the Privacy Rule.

*Agents and Contractors.* I shall ensure that any agents, including contractors and subcontractors to whom I provide the data set, agree in writing to be bound by the same restrictions and conditions that apply to me with respect to the limited data set.

*Reporting Violations of this Agreement.* I agree to report any violations to AHRQ within twenty-four (24) hours of becoming aware of any use or disclosure of the limited data set in violation of this Agreement or applicable law.

*Term, Breach, and Termination of this Agreement.* This Agreement shall continue in full effect until the data recipient has returned all copies of the data set to AHRQ. Any noncompliance by the data recipient with the terms of this Agreement will be grounds for immediate termination of the Agreement if, at the sole determination of AHRQ, the data recipient knew or should have known of such noncompliance and failed to immediately take reasonable steps to remedy the noncompliance.

*Reporting to the United States Department of Health and Human Services.* If the data recipient fails to remedy any breach or violation of this Agreement to the satisfaction of AHRQ, and if termination of the Agreement is not feasible, AHRQ shall report the recipient’s breach or violation to the Secretary of the United States Department of Health and Human Services, and the recipient agrees that he or she shall not have or make any claims against AHRQ with respect to such report(s).

I understand that this Agreement is requested by the United States Agency for Healthcare Research and Quality to ensure compliance with its statutory confidentiality requirement. My signature indicates my Agreement to comply with the above-stated requirements with the knowledge that any violation of the AHRQ confidentiality statute is subject to a civil penalty of up to \$10,000 under 42 U.S.C. 299c-3(d), and that deliberately making a false statement about this or any matter within the jurisdiction of any department or agency of the Federal Government violates 18 U.S.C. 1001 and is punishable by a fine of up to \$10,000 or up to five years in prison. Violators of this Agreement may also be subject to penalties under state confidentiality statutes that apply to these data for particular states.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Print or Type Name of Data Recipient: \_\_\_\_\_

Title: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

The information above is maintained by AHRQ for the purpose of enforcement of this Agreement. This information may also be used by AHRQ to create an HCUP mailing list. The mailing list allows AHRQ to send users information such as notices about the release of new databases and errata when data errors are discovered.

☐ **I do not wish to be included on the HCUP mailing list.**

Note to Purchaser: Shipment of the requested data product will only be made to the person who signs this Agreement, unless special arrangements that safeguard the data are made with AHRQ or its agent.

Agency for Healthcare Research and Quality  
Rockville, Maryland  
<http://www.hcup-us.ahrq.gov/home.jsp>